

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARK SATHER,

Plaintiff,

v.

NATIONWIDE COIN & BULLION  
RESERVE, INC.,

Defendant.

Case No. 4:16-CV-05042-TOR

ORDER RE: SETTLEMENT  
CONFERENCE

Based on the Order of Referral for Mediation to Chief Bankruptcy Judge Frederick P. Corbit (ECF No. 11), and after considering the statements made by the parties at the settlement status conference held on August 30, 2016,

IT IS ORDERED:

1. A settlement conference shall begin on **November 8, 2016 at 10:00 a.m.**, and continue until concluded, at the U.S. Bankruptcy Court for the Eastern District of Washington, 904 West Riverside Avenue, Third Floor Courtroom, in Spokane, Washington.

1           2.     All of the parties to this action, including counsel, shall be present at  
2     said settlement conference. If a party is a corporate entity, then that party's  
3     representative at the settlement conference should have settlement authority.

4           3.     Prior to the settlement conference, each party is strongly encouraged to  
5     share with Judge Corbit a confidential statement of position by either regular mail or  
6     e-mail. If the parties elect to e-mail their confidential statement of position, it should  
7     be e-mailed no later than **November 1, 2016 by noon**, to Judge Corbit and Judge  
8     Corbit's legal assistant (Dee Sindlinger) at Fred\_Corbit@waeb.uscourts.gov and  
9     Dee\_Sindlinger@waeb.uscourts.gov. If the parties elect to mail their confidential  
10    statement of position, it should be mailed no later than **October 28, 2016** by first-  
11    class mail and marked "Confidential" to the following address:

12                   Judge Frederick P. Corbit  
13                   United States Bankruptcy Court  
14                   904 West Riverside Avenue, Suite 304  
15                   Spokane, WA 99201

16           4.     The purpose of the settlement conference is to facilitate resolution of  
17     the case without further litigation by providing a forum for private and informal  
18     discussions between the attorneys, parties, and Judge Corbit to discuss the strengths  
19     and weaknesses of the claims. All communications made in connection with the  
20     settlement conference are confidential and will not be released or disclosed. Any  
   documents requested and submitted for the settlement conference will be maintained

1 in Judge Corbit's chambers and will be destroyed after the conference. Neither the  
2 settlement conference statements nor communications occurring during the  
3 settlement conference may be used by any party with regard to any aspect of the  
4 litigation or trial of this case.

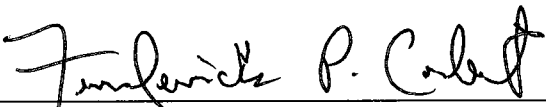
5 5. The confidential statement of position should include a brief review of  
6 the relevant facts, the party's assessment of its probability of prevailing on any  
7 disputed facts, and a brief discussion of any legal authority that the party contends  
8 would support its position at trial. Specifically, the statement should include:

- 9 a. A brief analysis of key issues involved in the litigation;
- 10 b. The estimated cost of going to trial (including attorney's fees,  
11 and in the case of the defendant, the potential losses resulting  
12 from employees spending time on this case as opposed to other  
13 matters);
- 14 c. A description of the strongest and weakest points of your case, both  
15 legal and factual;
- 16 d. A description of the strongest and weakest points of your opponent's  
17 case, both legal and factual;
- 18 e. The status of any settlement negotiations, including the last settlement  
19 proposal made by you and to you;
- 20 f. A settlement proposal that you believe would be fair; and

1 g. A settlement proposal that you would be willing to make in order to  
2 conclude the matter and stop the expense of litigation.

3 6. FAILURE TO FULLY COMPLY WITH THE REQUIREMENTS OF  
4 THIS ORDER MAY RESULT IN THE IMPOSITION OF APPROPRIATE  
5 SANCTIONS, CONTEMPT PROCEEDINGS, ENTRY OF DEFAULT AND  
6 ENTRY OF JUDGMENT.

7 DATED this 30th day of August, 2016.

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10 FREDERICK P. CORBIT  
11 Chief Bankruptcy Judge  
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